



#37

#30/Petition
DAC
WD Aband.
9-7-01

Atty. Docket No.: P60752USO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: EIGEN et al.

Serial No.: 08/750,715

Group Art Unit: 2856

Filed: March 19, 1997

Examiner: T. Noland

For: A METHOD AND DEVICE FOR THE SELECTIVE WITHDRAWAL OF CONTENTS FROM
COMPLEX MIXTURESRECEIVED
JUL 27 2000
TECHNOLOGY CENTER 2800PETITION UNDER 37 CFR §1.181
TO WITHDRAW HOLDING OF ABANDONMENT

RECEIVED

JUL 25 2000

OFFICE OF PETITIONS

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants respectfully request that the holding of abandonment be withdrawn since there was no abandonment in fact.

A Notice of Abandonment (copy attached) was mailed July 14, 2000, informing that the above application was abandoned for alleged failure to respond to the Office action mailed January 20, 2000. The holding and notice, of course, were premature; the six month statutory deadline did not expire until July 20, 2000. Accordingly, the holding of abandonment must be withdrawn.

Moreover, a timely response was filed in the PTO, i.e., on July 20, 2000, a notice of appeal, petition for extension of time, and requisite fees were filed in the USPTO. Copies of the response papers and the USPTO receipt post card are attached hereto.

Therefore, Applicants respectfully request withdrawal of the improper holding of abandonment and notification thereof. Applicants understand that no fee is necessary for this petition. MPEP 711.03(c).

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Telephone: 202-638-6666
Date: July 21, 2000
Atty. Docket: P60752USO
WEP/id

Respectfully submitted,

William E. Player
Reg. No. 31,409